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Qualcomm Incorporated
Patents Department
5775 Morehouse Drive
San Diego, CA 92121-1714

EXAMINER	
YAO, KWANG BIN	
ART UNIT	**PAPER NUMBER**
2667	

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/646,487	BREWER, BETH ANN	
	Examiner	Art Unit	
	Kwang B. Yao	2667	

-- The MAILING DATE of this c mmunication appears on the cover sheet with the correspondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 47 is objected to because of the following informalities: it appears that "computer-readable medium" recited in line 4 is a typo. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,2,8,9,15,15,22,23,29,30,36,37,43,44,50,51 are rejected under 35 U.S.C. 102(e) as being anticipated by Andrew et al. (US 2003/0158917).

Andrew et al. discloses a communication system comprising the following features: as depicted in Figs. 1-4, regarding claim 1, a method for providing group media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, the method comprising: receiving a request (Fig. 2, CONNECT TO INFRASTRUCTURE) from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) for media communication to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); determining a type of infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on

(page 4, [0039]); determining a type of infrastructure on which the target (Fig. 3, INTERNET INFRASTRUCTURE 330) is operating on (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); and providing a group media communication setup strategy (Fig. 4, steps 402 and 404) for the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) based on the determined types of the infrastructures (page 4, [0039]); regarding claim 2, wherein said receiving includes receiving information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 8. an apparatus for providing group media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, comprising: means for receiving a request (Fig. 2, CONNECT TO INFRASTRUCTURE) from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) for media communication to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); means for determining a type of infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); means for determining a type of infrastructure on which the target (Fig. 3, INTERNET INFRASTRUCTURE 330) is operating on (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); and means for providing a group media communication setup strategy (Fig. 4, steps 402 and 404) for the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) based on the determined types of the infrastructures (page 4, [0039]); regarding claim 9, wherein the request includes information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100;

Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 15, a computer-readable medium embodying codes for implementing a method for providing group media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, the method comprising: receiving a request (Fig. 2, CONNECT TO INFRASTRUCTURE) from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) for media communication to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); determining a type of infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); determining a type of infrastructure on which the target (Fig. 3, INTERNET INFRASTRUCTURE 330) is operating on (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); and providing a group media communication setup strategy (Fig. 4, steps 402 and 404) for the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) based on the determined types of the infrastructures (page 4, [0039]); regarding claim 16, wherein said receiving includes receiving information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 22, 1n apparatus for providing group media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, comprising: a memory unit (Fig. 1, memory 112; Fig. 3, computer system 323A, 323B, 323C); a receiver(Fig. 3, Wireless module 322); a transmitter (Fig. 3, proxy 321); and a processor (Fig. 1, Processor 111; Fig. 3, COMPUTER SYSTEM 323A, 323B ,323C) coupled to the memory unit (Fig. 1, memory 112; Fig. 3, computer system

323A, 323B, 323C), the receiver, and the transmitter (Fig. 3, proxy 321), the processor (Fig. 1, Processor 111; Fig. 3, COMPUTER SYSTEM 323A, 323B ,323C) being capable of: receiving a request (Fig. 2, CONNECT TO INFRASTRUCTURE) from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) for media communication to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); determining a type of infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); determining a type of infrastructure on which the target (Fig. 3, INTERNET INFRASTRUCTURE 330) is operating on (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on (page 4, [0039]); and providing a group media communication setup strategy (Fig. 4, steps 402 and 404) for the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) based on the determined types of the infrastructures (page 4, [0039]); regarding claim 23, wherein said receiving includes receiving information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 29, a method for allowing an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, the method comprising: receiving an indication from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) desiring to communicate media to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); sending a request to a group communication server; receiving a group media communication setup strategy (Fig. 4, steps 402 and 404) from the group communication server based on types of infrastructures on which the originator (Fig. 1,

Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) and the target (Fig. 3, INTERNET INFRASTRUCTURE 330) are operating on; and allowing the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start communicating media based on the received group media communication setup strategy; regarding claim 30, wherein said sending includes sending information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 36, an apparatus for allowing an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, comprising: means for receiving an indication from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) desiring to communicate media to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); means for sending a request to a group communication server; means for receiving a group media communication setup strategy (Fig. 4, steps 402 and 404) from the group communication server based on types of infrastructures on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) and the target (Fig. 3, INTERNET INFRASTRUCTURE 330) are operating on; and means for allowing the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start communicating media based on the received group media communication setup strategy; regarding claim 37, wherein said means for sending includes means for sending information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 43, a computer-readable medium storing program codes for performing a method for allowing an

originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, the method comprising: receiving an indication from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) desiring to communicate media to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); sending a request to a group communication server; receiving a group media communication setup strategy (Fig. 4, steps 402 and 404) from the group communication server based on types of infrastructures on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) and the target (Fig. 3, INTERNET INFRASTRUCTURE 330) are operating on; and allowing the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start communicating media based on the received group media communication setup strategy; regarding claim 44, wherein said sending includes sending information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on; regarding claim 50, an apparatus for allowing an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start media communication to a group of users operating on diverse infrastructures (Fig. 2, INFRASTURCTURE 202A, 202B, 202C, 202D) in a wireless communication network, comprising: a memory unit (Fig. 1, memory 112; Fig. 3, computer system 323A, 323B, 323C); a receiver (Fig. 3, Wireless module 322); a transmitter (Fig. 3, proxy 321); and a processor (Fig. 1, Processor 111; Fig. 3, COMPUTER SYSTEM 323A, 323B ,323C) coupled to the memory unit (Fig. 1, memory 112; Fig. 3, computer system 323A, 323B, 323C), the receiver, and the transmitter (Fig. 3, proxy 321), the processor (Fig. 1, Processor 111; Fig. 3,

COMPUTER SYSTEM 323A, 323B ,323C) being capable of: receiving an indication from an originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) desiring to communicate media to at least one target (Fig. 3, INTERNET INFRASTRUCTURE 330); sending a request to a group communication server; receiving a group media communication setup strategy (Fig. 4, steps 402 and 404) from the group communication server based on types of infrastructures on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) and the target (Fig. 3, INTERNET INFRASTRUCTURE 330) are operating on; and allowing the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) to start communicating media based on the received group media communication setup strategy; regarding claim 51, wherein said sending includes sending information identifying the type of the infrastructure on which the originator (Fig. 1, Telephonic Device 100; Fig. 3, TELEPHONIC DEVICE 300) is operating on. See pages 4-6.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3-5, 10-12, 17-19, 24-26, 31-33, 38-40, 45-47, 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrew et al. (US 2003/0158917) in view of Abrol et al. (US 6,822,952).

Andrew et al. discloses the claimed limitations above. Andrew et al. does not disclose the following features: regarding claim 3, wherein said determining includes determining whether the types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 4, wherein said determining includes determining whether the types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 5, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 10, wherein the types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 11, wherein the types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 12, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 17, wherein said determining includes determining whether the types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 18, wherein said determining includes determining whether the types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 19, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 24, wherein said determining includes determining whether the types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 25, wherein said determining includes determining whether the types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 26, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 31, wherein said types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 32, wherein said types of

infrastructures includes different versions of the CDMA infrastructure; regarding claim 33, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 38, wherein said types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 39, wherein said types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 40, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 45, wherein said types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 46, wherein said types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 47, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure; regarding claim 52, wherein said types of infrastructures includes code division multiple access CDMA infrastructure; regarding claim 53, wherein said types of infrastructures includes different versions of the CDMA infrastructure; regarding claim 54, wherein the different versions of the CDMA infrastructure includes "Release 0" and "Release A" of the CDMA infrastructure.

Abrol et al. discloses a communication system comprising the following features: regarding claim 3, wherein said determining includes determining whether the types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 4, wherein said determining includes determining whether the types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 5, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0"

and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 10, wherein the types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 11, wherein the types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 12, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 17, wherein said determining includes determining whether the types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 18, wherein said determining includes determining whether the types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 19, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 24, wherein said determining includes determining whether the types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 25, wherein said determining includes determining whether the types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 26, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes

"Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 31, wherein said types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 32, wherein said types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 33, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 38, wherein said types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 39, wherein said types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 40, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 45, wherein said types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 46, wherein said types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 47, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-

39); regarding claim 52, wherein said types of infrastructures includes code division multiple access CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 53, wherein said types of infrastructures includes different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39); regarding claim 54, wherein the different versions of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39) includes "Release 0" and "Release A" (column 1, line 63 to column 2, line 5; column 5, lines 36-47) of the CDMA infrastructure (column 1, lines 26-36; column 8, lines 37-39). It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Andrew et al., by using the features, as taught by Abrol et al., in order to provide more support to mobile users. See Abrol et al., column 1, lines 17-25.

6. Claims 6, 13, 20, 27, 34, 41, 48, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrew et al. (US 2003/0158917) in view of Kashiwagi et al. (US 2002/0098870).

Andrew et al. discloses the claimed limitations above. Andrew et al. does not disclose the following features: regarding claim 6, wherein said providing includes providing an optimistic setup strategy; regarding claim 13, wherein the group media communication setup strategy includes an optimistic setup strategy; regarding claim 20, wherein said providing includes providing an optimistic setup strategy; regarding claim 27, wherein said providing includes providing an optimistic setup strategy; regarding claim 34, wherein said allowing includes allowing the originator to start communicating media based on an optimistic setup strategy; regarding claim 41, wherein said means for allowing includes means for allowing the originator to start communicating media based on an optimistic setup strategy; regarding claim

48, wherein said allowing includes allowing the originator to start communicating media based on an optimistic setup strategy; regarding claim 55, wherein said allowing includes allowing the originator to start communicating media based on an optimistic setup strategy.

Kashiwagi et al. discloses a communication system comprising the following features: regarding claim 6, wherein said providing includes providing an optimistic setup strategy (pages 1-2, [0015]); regarding claim 13, wherein the group media communication setup strategy includes an optimistic setup strategy (pages 1-2, [0015]); regarding claim 20, wherein said providing includes providing an optimistic setup strategy (pages 1-2, [0015]); regarding claim 27, wherein said providing includes providing an optimistic setup strategy (pages 1-2, [0015]); regarding claim 34, wherein said allowing includes allowing the originator to start communicating media based on an optimistic setup strategy (pages 1-2, [0015]); regarding claim 41, wherein said means for allowing includes means for allowing the originator to start communicating media based on an optimistic setup strategy (pages 1-2, [0015]); regarding claim 48, wherein said allowing includes allowing the originator to start communicating media based on an optimistic setup strategy (pages 1-2, [0015]); regarding claim 55, wherein said allowing includes allowing the originator to start communicating media based on an optimistic setup strategy (pages 1-2, [0015]). It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Andrew et al., by using the features, as taught by Kashiwagi et al., in order to provide a better communication system by minimizing the interference. See Kashiwagi et al., pages 1, [0015].

7. Claims 7,14,21,28,35,42,49,56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natarajan (US 5,826,169).

Andrew et al. discloses the claimed limitations above. Andrew et al. does not disclose the following features: regarding claim 7, wherein said providing includes providing a guaranteed setup strategy; regarding claim 14, wherein the group media communication setup strategy includes a guaranteed setup strategy; regarding claim 21, wherein said providing includes providing a guaranteed setup strategy; regarding claim 28, wherein said providing includes providing a guaranteed setup strategy; regarding claim 35, wherein said allowing includes allowing the originator to start communicating media based on a guaranteed setup strategy; regarding claim 42, wherein said means for allowing includes means for allowing the originator to start communicating media based on a guaranteed setup strategy; regarding claim 49, wherein said allowing includes allowing the originator to start communicating media based on a guaranteed setup strategy; regarding claim 56, wherein said allowing includes allowing the originator to start communicating media based on a guaranteed setup strategy.

Natarajan discloses a communication system comprising the following features: regarding claim 7, wherein said providing includes providing a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 14, wherein the group media communication setup strategy includes a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 21, wherein said providing includes providing a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 28, wherein said providing includes providing a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 35, wherein said allowing includes allowing the originator to start communicating media

based on a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 42, wherein said means for allowing includes means for allowing the originator to start communicating media based on a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 49, wherein said allowing includes allowing the originator to start communicating media based on a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33); regarding claim 56, wherein said allowing includes allowing the originator to start communicating media based on a guaranteed setup strategy (Fig. 2; Abstract, lines 1-2; column 1, line 66 to column 2, line 2; column 5, lines 23-33). It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Andrew et al., by using the features, as taught by Natarajan, in order to a better communication system by assuring guaranteed availability of communication resources in networks with changing topology. See Natarajan, column 2, lines 10-12.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Casaccia et al. (US 2004/0192304) discloses a system for selecting a service provider.

Willkie et al. (US 5,956,651) discloses a cellular telephone interface system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwang B. Yao whose telephone number is 571-272-3182. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KWANG BIN YAO
PRIMARY EXAMINER

Kwang B. Yao
January 25, 2005